

SCPD POLICY AND LAW COMMITTEE MEETING MINUTES
JUNE 27, 2018
SMYRNA REST AREA - SMYRNA, DE

Members Present: Marge Turner, Co-Chair; Kathie Cherry, GACEC; Nick Fina, Advocate; Linda Heller, HLADE/Advocate; Pat Maichle, DDC; Bill Payne, Advocate; Lauren Reynolds, FCIL; Despina Wilson, IRI, Inc.; and Jo Singles, Support Staff.

CALL TO ORDER

Marge called the meeting to order 1:10 pm. Nick spoke about his concern about meeting without a quorum. He will follow-up with John on Committee membership.

ADDITIONS OR DELETIONS TO THE AGENDA

- HB 467 – Update (Linda)

APPROVAL OF MINUTES

The April 12th minutes were not approved.

REVIEW OF REGULATIONS AND LEGISLATION

Proposed Regulations

1. Proposed DDOE Regulation on Unsafe School Options, 21 Del. Register of Regulations 947 [June 1, 2018]. The proposed regulation was reviewed. Linda spoke about bullying to a hard of hearing student and HLADE's intervention and positive end results. She asked how we can ensure that students with disabilities are treated fairly when there is an unsafe incident and are there adequate safeguards in place? Kathie spoke about a manifestation hearing if the incident is related to a disability. Nick proposed having a group look at bullying against students with disabilities as a long-standing concern. Marge clarified that this regulation is changing the definition on what is going to be reported. After discussion, Marge made an amended motion to send comments, including opposing the regulation as written by Laura. Pat seconded the motion. The motion was carried with 5 voting yes and 3 voting no.
2. Proposed DDOE Regulation on Anti-Discrimination Policy, 21 Del. Register of Regulation 941 [June 1, 2018]. The proposed regulation was reviewed. Marge made a motion to send comments and position as written. Pat seconded the motion. The motion was carried with 4 voting yes and 3 voting no. Marge made a new motion that the following comment be added: The SCPD feels that the final decision-maker should be a totally independent entity from the School District or Charter School. Nick seconded the motion. The motion was carried with 4 voting yes and 2 voting no.
3. Proposed DMMA State Plan Amendment Related to Accreditation of Home Health Agencies, 21 Del. Register of Regulations 951 [June 1, 2018]. The proposed regulation was

reviewed. Marge spoke about the difference between home health agencies and PASA agencies. Linda made a motion to send comments as written. Pat seconded the motion. The motion was carried, with 6 voting yes and 1 voting no.

Final Regulations

4. Final Regulation, DDOE Certificate of Eligibility Regulations 21 Del. Register of Regulations 972 [June 1, 2018]. The final regulation was reviewed. Nick had concerns about making it more difficult for teachers to get into the educational system. Marge made a motion to send comments as written in DLP memo that SCPD: 1) reiterate its request for parental notification and a competency requirement to be included. 2) request that examples of what constitutes appropriate “other considerations” be provided. Linda seconded the motion. The motion carried, with 4 voting yes, 1 voting no, and 1 abstaining.

Proposed Legislation

HB 402 and HB 438 – Amendments to 14 Del Code §4130 and §3730. Marge made a motion to vote on the proposed legislation. The motion was carried, with 5 voting yes and 2 abstaining. Another motion was made to send comments supporting HB 402 as written. Pat seconded the motion. The motion was carried. Marge made a motion to send comments endorsing HB 438 as written. Nick seconded the motion. The motion carried with 7 voting yes. Comments on these two bills will be sent in separate letters.

HB 433 – Amends the Code sections that govern the Alternative Route for Teacher Licensure and Certification (ARTC) programs. Although the legislation has passed the Senate and House, comments will be sent as written.

HB 467 - Linda spoke briefly about HB 467, which updates the membership of the Telecommunications Relay Service Advisory Committee to include groups currently engaged in ensuring telecommunications relay services are provided to Delawareans who need relay services. The membership has been updated as follows:

- The 911 Administrator
- Representative from DVI
- Representative from DTI
- Representative from SCPD
- Representative from DATI
- Representative from HLADE
- Representative from Office of Deaf & Hard of Hearing
- Representative from Delaware School for the Deaf
- Representative from Independent Resources, Inc.

Linda noted that D.A.D. (Delaware Association of the Deaf) has been eliminated. A Representative of the Delaware Assistive Technology Initiative was added. She expects the legislation will be voted on before the end of the fiscal year (June 30th). This is an FYI.

Other Legislation Reviewed

HB 442 - Juvenile Offender Civil Citation Program amendments. No action taken.

HB 448 - Constitutional Amendment related to Parental Rights. No action taken.

HB 450 – Expungement. No action taken.

HB 446 - Voting Constitutional amendment; ability of DOE to use statutory process. No action taken.

HB 441 - Pharmacy Benefit Managers requiring preauthorization chronic meds. Marge made a motion to endorse the concept of this legislation. Pat seconded the motion. Votes: Yes – 2; No – 1; Abstain – 2. There were not enough votes to move the motion forward. No action taken.

OTHER BUSINESS

None

ANNOUNCEMENTS

None

PUBLIC COMMENT

None

ADJOURNMENT

The meeting was adjourned at 3:05 pm.

Respectfully submitted,

Jo Singles
Support Staff

policy & law/min 6-27-18